

SHB 1608 - S COMM AMD

By Committee on Land Use & Planning

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 36.70A.130 and 2002 c 320 s 1 are each amended to
4 read as follows:

5 (1)(a) Each comprehensive land use plan and development regulations
6 shall be subject to continuing review and evaluation by the county or
7 city that adopted them. A county or city shall take legislative action
8 to review and, if needed, revise its comprehensive land use plan and
9 development regulations to ensure the plan and regulations comply with
10 the requirements of this chapter according to the time periods
11 specified in subsection (4) of this section. A county or city not
12 planning under RCW 36.70A.040 shall take action to review and, if
13 needed, revise its policies and development regulations regarding
14 critical areas and natural resource lands adopted according to this
15 chapter to ensure these policies and regulations comply with the
16 requirements of this chapter according to the time periods specified in
17 subsection (4) of this section. Legislative action means the adoption
18 of a resolution or ordinance following notice and a public hearing
19 indicating at a minimum, a finding that a review and evaluation has
20 occurred and identifying the revisions made, or that a revision was not
21 needed and the reasons therefore. The review and evaluation required
22 by this subsection may be combined with the review required by
23 subsection (3) of this section. The review and evaluation required by
24 this subsection shall include, but is not limited to, consideration of
25 critical area ordinances and, if planning under RCW 36.70A.040, an
26 analysis of the population allocated to a city or county from the most
27 recent ten-year population forecast by the office of financial
28 management.

29 (b) Any amendment of or revision to a comprehensive land use plan
30 shall conform to this chapter. Any amendment of or revision to

1 development regulations shall be consistent with and implement the
2 comprehensive plan. Counties and cities that are required or choose to
3 plan under RCW 36.70A.040 shall ensure that adoption of and amendments
4 to their comprehensive plans and/or development regulations provide
5 sufficient capacity of land suitable for development within their
6 jurisdictions to accommodate their allocated housing and employment
7 growth, as adopted in the applicable countywide planning policies and
8 consistent with the twenty-year population forecast from the office of
9 financial management.

10 (2)(a) Each county and city shall establish and broadly disseminate
11 to the public a public participation program consistent with RCW
12 36.70A.035 and 36.70A.140 that identifies procedures and schedules
13 whereby updates, proposed amendments, or revisions of the comprehensive
14 plan are considered by the governing body of the county or city no more
15 frequently than once every year. "Updates" means to review and revise,
16 if needed, according to subsection (1) of this section, and the time
17 periods specified in subsection (4) of this section. Amendments may be
18 considered more frequently than once per year under the following
19 circumstances:

20 (i) The initial adoption of a subarea plan that does not modify the
21 comprehensive plan policies and designations applicable to the subarea;

22 (ii) The adoption or amendment of a shoreline master program under
23 the procedures set forth in chapter 90.58 RCW; and

24 (iii) The amendment of the capital facilities element of a
25 comprehensive plan that occurs concurrently with the adoption or
26 amendment of a county or city budget.

27 (b) Except as otherwise provided in (a) of this subsection, all
28 proposals shall be considered by the governing body concurrently so the
29 cumulative effect of the various proposals can be ascertained.
30 However, after appropriate public participation a county or city may
31 adopt amendments or revisions to its comprehensive plan that conform
32 with this chapter whenever an emergency exists or to resolve an appeal
33 of a comprehensive plan filed with a growth management hearings board
34 or with the court.

35 (3) Each county that designates urban growth areas under RCW
36 36.70A.110 shall review, at least every ten years, its designated urban
37 growth area or areas, and the densities permitted within both the

1 incorporated and unincorporated portions of each urban growth area. In
2 conjunction with this review by the county, each city located within an
3 urban growth area shall review the densities permitted within its
4 boundaries, and the extent to which the urban growth occurring within
5 the county has located within each city and the unincorporated portions
6 of the urban growth areas. The county comprehensive plan designating
7 urban growth areas, and the densities permitted in the urban growth
8 areas by the comprehensive plans of the county and each city located
9 within the urban growth areas, shall be revised to accommodate the
10 urban growth projected to occur in the county for the succeeding
11 twenty-year period. The review required by this subsection may be
12 combined with the review and evaluation required by RCW 36.70A.215.

13 (4) The department shall establish a schedule for counties and
14 cities to take action to review and, if needed, revise their
15 comprehensive plans and development regulations to ensure the plan and
16 regulations comply with the requirements of this chapter. The schedule
17 established by the department shall provide for the reviews and
18 evaluations to be completed as follows:

19 (a) On or before December 1, 2004, and every seven years
20 thereafter, for Clallam, Clark, Jefferson, King, Kitsap, Pierce,
21 Snohomish, Thurston, and Whatcom counties and the cities within those
22 counties;

23 (b) On or before December 1, 2005, and every seven years
24 thereafter, for Cowlitz, Island, Lewis, Mason, San Juan, Skagit, and
25 Skamania counties and the cities within those counties;

26 (c) On or before December 1, 2006, and every seven years
27 thereafter, for Benton, Chelan, Douglas, Grant, Kittitas, Spokane, and
28 Yakima counties and the cities within those counties; and

29 (d) On or before December 1, 2007, and every seven years
30 thereafter, for Adams, Asotin, Columbia, Ferry, Franklin, Garfield,
31 Grays Harbor, Klickitat, Lincoln, Okanogan, Pacific, Pend Oreille,
32 Stevens, Wahkiakum, Walla Walla, and Whitman counties and the cities
33 within those counties.

34 (5)(a) Nothing in this section precludes a county or city from
35 conducting the review and evaluation required by this section before
36 the time limits established in subsection (4) of this section.

1 Counties and cities may begin this process early and may be eligible
2 for grants from the department, subject to available funding, if they
3 elect to do so.

4 (b) State agencies are encouraged to provide technical assistance
5 to the counties and cities in the review of critical area ordinances,
6 comprehensive plans, and development regulations.

7 (6) A county or city subject to the time periods in subsection
8 (4)(a) of this section that, pursuant to an ordinance adopted by the
9 county or city establishing a schedule for periodic review of its
10 comprehensive plan and development regulations, has conducted a review
11 and evaluation of its comprehensive plan and development regulations
12 and, on or after January 1, 2001, has taken action in response to that
13 review and evaluation shall be deemed to have conducted the first
14 review required by subsection (4)(a) of this section. Subsequent
15 review and evaluation by the county or city of its comprehensive plan
16 and development regulations shall be conducted in accordance with the
17 time periods established under subsection (4)(a) of this section.

18 (7) The requirements imposed on counties and cities under this
19 section shall be considered "requirements of this chapter" under the
20 terms of RCW 36.70A.040(1). Only those counties and cities in
21 compliance with the schedules in this section shall have the requisite
22 authority to receive grants, loans, pledges, or financial guarantees
23 from those accounts established in RCW 43.155.050 and 70.146.030. Only
24 those counties and cities in compliance with the schedules in this
25 section shall receive preference for grants or loans subject to the
26 provisions of RCW 43.17.250."

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27 On page 1, line 2 of the title, after "RCW 36.70A.040;" strike the
28 remainder of the title and insert "and amending RCW 36.70A.130."

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